



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB4115

by Rep. Ron Sandack

#### SYNOPSIS AS INTRODUCED:

815 ILCS 365/2

from Ch. 121 1/2, par. 1502

Amends the Motor Fuel Sales Act. Provides that: the Department of Agriculture shall maintain on its website a list of gasoline and service stations that are required to report to the Department of Agriculture's Bureau of Weights and Measures; the list shall include the addresses and telephone numbers of the gasoline and service stations; and the Department of Agriculture shall provide the Department of Human Services with a link to this website information. Provides that the Department of Human Services shall post on its website a link to the list of gasoline and service stations provided by the Department of Agriculture (rather than posting the addresses and telephone numbers of all gasoline and service stations in Illinois).

LRB099 09884 JLS 30098 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Motor Fuel Sales Act is amended by changing  
5 Section 2 as follows:

6 (815 ILCS 365/2) (from Ch. 121 1/2, par. 1502)

7 Sec. 2. Assistance at stations with self-service and  
8 full-service islands.

9 (a) Any attendant on duty at a gasoline station or service  
10 station offering to the public retail sales of motor fuel at  
11 both self-service and full-service islands shall, upon  
12 request, dispense motor fuel for the driver of a car which is  
13 parked at a self-service island and displays: (1) registration  
14 plates issued to a physically disabled person pursuant to  
15 Section 3-616 of the Illinois Vehicle Code; (2) registration  
16 plates issued to a disabled veteran pursuant to Section 3-609  
17 or 3-609.01 of such Code; or (3) a special decal or device  
18 issued pursuant to Section 11-1301.2 of such Code; and shall  
19 only charge such driver prices as offered to the general public  
20 for motor fuel dispensed at the self-service island. However,  
21 such attendant shall not be required to perform other services  
22 which are offered at the full-service island.

23 (b) Gasoline stations and service stations in this State

1 are subject to the federal Americans with Disabilities Act and  
2 must:

3 (1) provide refueling assistance upon the request of an  
4 individual with a disability (A gasoline station or service  
5 station is not required to provide such service at any time  
6 that it is operating on a remote control basis with a  
7 single employee on duty at the motor fuel site, but is  
8 encouraged to do so, if feasible.);

9 (2) by January 1, 2014, provide and display at least  
10 one ADA compliant motor fuel dispenser with a direct  
11 telephone number to the station that allows a disabled  
12 operator of a motor vehicle to request refueling  
13 assistance, with the telephone number posted in close  
14 proximity to the International Symbol of Accessibility  
15 required by the federal Americans with Disabilities Act,  
16 however, if the station does not have at least one ADA  
17 compliant motor fuel dispenser, the station must display on  
18 at least one motor fuel dispenser a direct telephone number  
19 to the station that allows a disabled operator of a motor  
20 vehicle to request refueling assistance; and

21 (3) provide the refueling assistance without any  
22 charge beyond the self-serve price.

23 (c) The signage required under paragraph (2) of subsection  
24 (b) shall be designated by the station owner and shall be  
25 posted in a prominently visible place. The sign shall be  
26 clearly visible to customers.

1 (d) The Secretary of State shall provide to persons with  
2 disabilities information regarding the availability of  
3 refueling assistance under this Section by the following  
4 methods:

5 (1) by posting information about that availability on  
6 the Secretary of State's Internet website, along with a  
7 link to the Department of Human Services website; and

8 (2) by publishing a brochure containing information  
9 about that availability, which shall be made available at  
10 all Secretary of State offices throughout the State.

11 (d-5) On its Internet website, the Department of  
12 Agriculture shall maintain a list of gasoline and service  
13 stations that are required to report to the Department of  
14 Agriculture's Bureau of Weights and Measures. The list shall  
15 include the addresses and telephone numbers of the gasoline and  
16 service stations. The Department of Agriculture shall provide  
17 the Department of Human Services with a link to this website  
18 information.

19 (e) The Department of Human Services shall post on its  
20 Internet website information regarding the availability of  
21 refueling assistance for persons with disabilities and the link  
22 to the list ~~addresses and telephone numbers of all~~ gasoline and  
23 service stations provided by the Department of Agriculture in  
24 ~~Illinois.~~

25 (f) A person commits a Class C misdemeanor if he or she  
26 telephones a gasoline station or service station to request

1 refueling assistance and he or she:

2 (1) is not actually physically present at the gasoline  
3 or service station; or

4 (2) is physically present at the gasoline or service  
5 station but does not actually require refueling  
6 assistance.

7 (g) The Department of Transportation shall work in  
8 cooperation with appropriate representatives of gasoline and  
9 service station trade associations and the petroleum industry  
10 to increase the signage at gasoline and service stations on  
11 interstate highways in this State with regard to the  
12 availability of refueling assistance for persons with  
13 disabilities.

14 (h) If an owner of a gas station or service station is  
15 found by the Illinois Department of Agriculture, Bureau of  
16 Weights and Measures, to be in violation of this Act, the owner  
17 shall pay an administrative fine of \$250. Any moneys collected  
18 by the Department shall be deposited into the Motor Fuel and  
19 Petroleum Standards Fund. The Department of Agriculture shall  
20 have the same authority and powers as provided for in the Motor  
21 Fuel and Petroleum Standards Act in enforcing this Act.

22 (Source: P.A. 97-1152, eff. 6-1-13.)